REMARKS

Applicants respectfully requests entry of the amendments and remarks submitted herein. Claims 1-29 were previously canceled and claims 30, 37, 39, and 48 have been amended. Therefore, claims 30-55 are currently pending.

Support for the amendments to the claims can be found in the originally filed claims and throughout the specification. Reconsideration of the pending application is respectfully requested.

Claim Objections

Claims 30, 35, 36, 39, 44, 45, 46, 48, 52, and 53 are objected to because an informality. In particular, the examiner objected to the recitation in the claims of the term "*rfe*," as the examiner believes that this is an abbreviation that should be expanded in the first recitation of the term.

The claims have been amended to clarify that "*rfe*" is the is the designator of the gene that encodes Undecapaprenyl-phosphate (UDP) N-acetyl glucosamine (GlcNAc):Undecaprenol GlcNAc-1 phosphate transferase. See, specification at page 4, line 30 to page 5, line 1 and page 7, lines 6-7. The enzyme encoded by the *rfe* gene is designated "Rfe."

Applicants respectfully request that this objection be withdrawn.

Claims Rejections under 35 U.S.C. §112

Claims 30-55 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention. In particular, the examiner states that the scope of the term "gene" is not definite, as a gene may comprises of a coding sequence and introns, exons and regulatory sequences.

The examiner is reminded that the *rfe* gene is a bacterial (prokaryotic) gene, and that unlike eukaryotic DNA, prokaryotic DNA do not have introns and exons. As used in the claims, the term "*rfe* gene" includes the regulatory and coding sequences for Undecapaprenyl-phosphate (UDP) N-acetyl glucosamine (GlcNAc):Undecaprenol GlcNAc-1 phosphate transferase. As

recited in the claims, the regulation of the *rfe* gene is controlled by LsgG (the gene product of *lsgG*). Therefore, the regulatory sequences of *rfe* must be present. *See*, Specification at page 7, lines 9-12, which states that the *rfe* gene "encodes for a protein which catalyzes the transfer of N-acetyl glucosamine (GlcNAc, an "acceptor molecule") onto the carrier lipid undecaprenol phosphate. The regulation of this gene can be controlled with a regulatory gene, *lsgG*, identified in *Haemophilus influenzae*. The increase in *rfe* expression caused by *lsgG* mediates the deposition of a GlcNAc residue on the terminal heptose of LPS and LOS. . ." (Emphasis added) In order for there to be an increase in expression, the regulatory region of the *rfe* must also be present, and not just the coding sequences.

Therefore, Applicants respectfully request that this rejection under 35 U.S.C. § 112, second paragraph be withdrawn.

Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: 22 February 2005

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